

Basel Convention – Plastics Strategy

Background: The Basel Convention is an international treaty designed to reduce the movements of hazardous waste between nations, and specifically to prevent transfer of hazardous waste from developed to less developed countries (LDCs). The Convention is also intended to minimize the amount and toxicity of wastes generated, to ensure their environmentally sound management as closely as possible to the source of generation, and to assist LDCs in environmentally sound management of the hazardous and other wastes they generate. The Convention entered into force on 5 May 1992. As of October 2018, 186 states and the European Union are parties to the Convention. The U.S. (and Haiti) have signed but not ratified it. To date transfers of post-consumer mixed plastic waste has not been covered by the Basel Convention.

Recent Expansion: Norway has recently made two specific proposals which will be considered at the next “Conference of the Parties” on April 29-May 10:

- (1) Creation of a new voluntary “Partnership on Plastic Waste” to address marine debris under the Basel Convention. Although it would involve industry engagement to ensure appropriate implementation, the Partnership appears to present opportunities to improve waste management in key countries and is not regulatory. The Partnership is expected to be approved at the meeting.
- (2) Amending relevant Convention Annexes (II, VIII, IX) to classify plastic waste as “other wastes” subjecting their movement across borders to regulation and prior notification. In recent engagement ACC (and WPC) have opposed this reclassification. Although adoption of the proposed amendments to the annexes for plastic waste is not expected at the meeting, we do expect a recommendation for further work on plastic waste.

Other Considerations: In the face of growing global awareness of plastic waste in the oceans and environment, governments and intergovernmental organizations are facing mounting pressure to act. Norway and the EU (in particular, but also others) are using these forums to advance strict regulations on plastics. This includes concerted efforts to advance a legally binding treaty under UN Environment. In March, the 4th United Nations Environment Assembly (UNEA-4) will consider proposals to develop a global, legally-binding treaty on plastics, including limits on plastic production and use, and bans on a wide range of products. We believe international policy action of some type is inevitable, with limited opportunities for effective industry engagement. We believe action under Basel, which regulates shipment of waste would be preferable to a treaty that is more likely to focus on production restrictions.

Recommended Strategic Position for the Basel Convention

We recommend that ACC (and other associations):

- **Continue to support** the creation of a new Partnership on Plastic Waste to address marine debris under the Basel Convention;
- **Continue to oppose Norway’s current proposal** reclassifying plastic waste as “other wastes” that would heavily regulate the movement of plastic articles across borders; and

- **(NEW) Add our support** for the creation of a work group to update the waste listings for plastics under the Basel Convention

We recommend that this position also be taken up by PlasticsEurope, the World Plastics Council, and all other plastics industry associations. With Plastics Division member approval, it will be shared with those organizations as well.

Leveraging Industry Basel Engagement at UNEA-4

Engaging in Basel provides an example of industry's commitment to increase circularity of plastic packaging and support the trade in plastic waste in an environmentally sound manner. Connecting this with the pillars of the Alliance to End Plastic Waste (AEPW)—Infrastructure, Innovation, Education, and Clean-up—help make industry's commitment more tangible. To leverage the advocacy benefit of industry's support for action under Basel at UNEA-4, we must make a public announcement before both Basel meetings and UNEA-4 that can be emphasized with member states during UNEA.

Proposed Statement (to be sent in letter to Basel Secretariat)

WPC and ACC are fully supportive of the proposed Basel Convention Partnership on Plastic Waste. Such a partnership could develop guidance for treatment technologies to unlock value in used plastics. Projects stemming from the Partnership discussions would demonstrate and build capacity for Environmentally Sound Management of plastic waste. There is a lot of work to be done and we look forward to actively participating.

ACC opposes the existing proposal to reclassifying plastic waste as “other wastes.” We believe this reclassification would create insurmountable regulatory hurdles for small developing countries to export used plastics to other states for efficient recycling. However, we recognize the need to update the waste listings for plastics to support more circular economies that enhance domestic recycling capacity, while allowing for efficient international trade of plastic scrap for recycling and recovery. Working in collaboration with the Partnership on Plastic Waste, ACC and WPC support creation of an expert working group under the Basel Convention to examine the current listings for plastic waste under the annexes.

The development of guidelines for Environmentally Sound Management of recycling operations is important to addressing marine debris. ACC and WPC encourage member states to consider existing recycling guidelines in the development of updated guidelines under the Basel Convention.